

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES GUY,

Petitioner, :  
v.

Case No. 2:20-cv-5459  
Judge Sarah D. Morrison  
Magistrate Judge Michael R.  
Merz

WARDEN, ROSS  
CORRECTIONAL INSTITUTION, :  
  
Respondent.

**ORDER**

On October 25, 2021, the Magistrate Judge issued a Report and Recommendation recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. (ECF No. 28.) Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed. The Report and Recommendation is **ADOPTED** and **AFFIRMED**. This action is **DISMISSED**. Petitioner has waived the right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**

/s/ Sarah D. Morrison  
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**SARAH D. MORRISON**  
**UNITED STATES DISTRICT JUDGE**